

DEFICIENCY ESTIMATE OF APPROPRIATION, 1938, AND  
SUPPLEMENTAL ESTIMATES OF APPROPRIATION, 1939  
AND 1940, DEPARTMENT OF JUSTICE

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COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A DEFICIENCY ESTIMATE OF APPROPRIATION FOR THE FISCAL  
YEAR 1938 IN THE SUM OF \$46,500, AND SUPPLEMENTAL ESTI-  
MATES OF APPROPRIATION FOR THE FISCAL YEARS 1939 AND  
1940, IN THE SUM OF \$2,151,000, AMOUNTING IN ALL TO \$2,197,500  
FOR THE DEPARTMENT OF JUSTICE

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FEBRUARY 16, 1939.—Referred to the Committee on Appropriations, and ordered  
to be printed

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THE WHITE HOUSE,  
*Washington, February 16, 1939.*

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to transmit herewith for the consideration of Congress a deficiency estimate of appropriation for the fiscal year 1938 in the sum of \$46,500, and supplemental estimates of appropriations for the fiscal years 1939 and 1940, in the sum of \$2,151,000, amounting in all to \$2,197,500, for the Department of Justice.

The details of these estimates, the necessity therefor, and the reason for their transmission at this time, are set forth in the letter of the Acting Director of the Bureau of the Budget, transmitted herewith, with whose comments and observations thereon I concur.

Respectfully,

FRANKLIN D. ROOSEVELT.

BUREAU OF THE BUDGET,  
Washington, February 15, 1939.

The PRESIDENT,  
*The White House.*

SIR: I have the honor to submit herewith for your consideration a deficiency estimate of appropriation for the fiscal year 1938 in the sum of \$46,500, and supplemental estimates of appropriations for the fiscal years 1939 and 1940 in the sum of \$2,151,000, amounting in all to \$2,197,500, for the Department of Justice, as follows:

Fees of jurors and witnesses, United States courts, 1938 ----- \$46, 500

This amount is required for the payment of obligations incurred in excess of the appropriation, which for the most part is not subject to administrative control.

Contingent expenses, Department of Justice, 1939 ----- \$42, 000

There was appropriated for contingent expenses, Department of Justice, for the fiscal year 1939, \$149,500, but additional funds will be required to meet the regular items of expense on account of increased business and the employment of new personnel and to provide for certain nonrecurring items which were not anticipated at the time the appropriation for the current fiscal year was made.

Printing and binding, Department of Justice and courts, 1939 ----- \$60, 000

An appropriation of \$325,500 was provided for printing and binding for the Department of Justice and the courts of the United States for the fiscal year 1939. It is estimated that an additional amount of \$60,000 will be required to meet the necessary obligations for the remainder of the current fiscal year.

Salaries and expenses, Federal Bureau of Investigation, 1939 ----- \$600, 000

There was provided by the Department of Justice Appropriation Act, 1939, approved April 27, 1938, for salaries and expenses of the Federal Bureau of Investigation for the fiscal year 1939, \$6,043,200, with a provision that not to exceed \$65,000 of that amount shall be immediately available, leaving \$5,978,200 available for the current fiscal year. The Department advises that owing to the increased demands on the Bureau this amount will be inadequate, and an additional amount of \$600,000 is recommended, making \$6,578,200 available for the fiscal year 1939.

Enforcement of antitrust and kindred laws, 1939 ----- \$70, 000

For the enforcement of the antitrust and kindred laws there was provided for the fiscal year 1939, \$580,060 by the Department of Justice Appropriation Act, 1939, and a further sum of \$200,000 by the Second Deficiency Appropriation Act, fiscal year 1938, making a total of \$780,060 available for the current fiscal year. The Department states, however, that additional funds will be required to meet the increase in the work of the Antitrust Division, and \$70,000 is recommended for this purpose.

United States Penitentiary, Leavenworth, Kans., maintenance, 1939 --- \$39, 000

United States Penitentiary Annex, Leavenworth, Kans., maintenance, 1939 ----- 50, 000

United States Penitentiary, Atlanta, Ga., maintenance, 1939 ----- 80, 000

United States Northeastern Penitentiary, maintenance, 1939 ----- 80, 000

Federal Industrial Institution for Women, Alderson, W. Va., maintenance, 1939 ----- 30, 000

United States Southwestern Reformatory, maintenance, 1939-----	\$65, 000
United States Hospital for Defective Delinquents, maintenance, 1939--	20, 000
Federal Reformatory Camp, Petersburg, Va., maintenance, 1939-----	35, 000

The purpose of these estimates is to provide additional funds for personnel and maintenance, to take care of increases in prison population at the several institutions, which could not be foreseen at the time the appropriations for the fiscal year 1939 were made.

Support of United States prisoners, 1939-----	\$280, 000
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Funds provided under this appropriation are for the support of United States prisoners confined in non-Federal institutions and in the Territory of Alaska. There was appropriated for the fiscal year 1939, \$1,500,000, of which \$300,000 is for the salaries of physicians, jailers, and other employees, and \$1,200,000 for the care of inmates. Owing to an unexpected increase in the number of prisoners, however, the appropriation will not be sufficient, and the estimate herewith is to cover the additional cost of maintaining these prisoners.

Buildings and equipment, penal institutions, 1939-40-----	\$200, 000
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The purpose of this estimate is to provide funds for additional construction and equipment urgently required under this head.

Salaries, justices and judges, Territory of Hawaii, 1939-----	\$7, 500
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This estimate is to cover the compensation of an associate justice of the Supreme Court of the Territory of Hawaii, who retired under the provisions of the act of May 31, 1938, and for which no provision was made in the appropriation for the fiscal year 1939.

Salaries of circuit, district, and retired judges, 1939-----	\$151, 000
Pay of bailiffs, etc., United States courts, 1939-----	37, 000
Miscellaneous salaries, United States courts, 1939-----	54, 500
Miscellaneous expenses, United States courts, 1939-----	250, 000

The above amounts are to meet increased costs due to the expansion in judicial activity, resulting largely from the enactment of legislation at the last session of Congress authorizing the appointment of additional United States circuit and district judges. The amounts requested are to pay the salaries of circuit and district judges for an average of 4 months during the current fiscal year; the salaries of law clerks and secretaries to circuit judges and secretaries to district judges for an average of 4 months; the pay of bailiffs for an average of 3½ months; and miscellaneous expenses of the courts, consisting of libraries for the judges, supplies, furniture, and equipment for the judges and their law clerks and secretaries, fees of expert witnesses, communication service, reporting service, etc.

The foregoing estimates of appropriations are to meet contingencies which have arisen since the transmission of the budgets for the fiscal years involved, and their approval is recommended.

Very respectfully,

F. J. BAILEY, *Executive Assistant*.  
(For and in the absence of the Acting  
Director of the Bureau of the Budget).

